

REMARKS

Applicant respectfully requests reconsideration and allowance in view of the foregoing amendments and the following remarks. Applicant notes that claims 31 and 42 have been amended. Thus, claims 31-50 are pending in the application.

Section 103 Rejections:

In the Office Action, claims 31-50 were rejected under 35 U.S.C. 103(a) as being unpatentable over O'Donnell ("How Frequent Flier Programs Work") in view of Stutz ("Your Vacation Plans for Sale?").

With regard to independent claim 31, Applicant notes that this claim has been amended to more particularly recite that the transportation pass comprises means for communicating electronic information to an authentication device to grant the access. Applicant respectfully submits that the frequent flier card described in O'Donnell and Stutz fail to teach or suggest a transportation pass comprising means for communicating electronic information to an authorization device to grant the access as recited in claim 31. Based on Applicant's review of O'Donnell and Stutz, the frequent flier card does not appear to include any means for communicating electronic information to an authorization device to grant access to the transportation system as required by the claimed invention. Therefore, because O'Donnell and Stutz fail to teach or suggest claim 31, Applicant respectfully requests that the Section 103(a) rejection with respect to claim 31 and all claims dependent thereon be withdrawn.


With regard to claim 42, Applicant notes that this claim similarly recites that the transportation pass comprises means for communicating electronic information to an authentication device to grant the access. Therefore, Applicant respectfully requests that the Section 103(a) rejection with respect to claim 42 and all claims dependent thereon be withdrawn for at least the reasons discussed above with respect to claim 31.

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 31-50 are in condition for allowance. Applicant, accordingly, respectfully requests that a notice of allowance be issued with respect to claims 31-50.

Please charge any fees which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.

Date: August 24, 2004

Respectfully submitted,

By 
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